

To: Isales, Daniel[Isales.Daniel@epa.gov]
From: O'Lone, Mary
Sent: Thur 9/8/2016 4:50:27 PM
Subject: RE: question

Damn, you are right.

Hmmm.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Isales, Daniel
Sent: Thursday, September 08, 2016 12:49 PM
To: O'Lone, Mary <OLone.Mary@epa.gov>
Subject: RE: question

But in this case, there is no \$ for this program, right? So what \$ would be withheld?

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

Isales.daniel@epa.gov

From: O'Lone, Mary

Sent: Thursday, September 08, 2016 12:45 PM

To: Isales, Daniel <Isales.Daniel@epa.gov>

Subject: RE: question

Ex. 5 - Deliberative Process

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Isales, Daniel

Sent: Thursday, September 08, 2016 12:26 PM

To: O'Lone, Mary <OLone.Mary@epa.gov>

Subject: question

Mary,

Silly question here, but I want to be sure we are on the same page.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

Isales.daniel@epa.gov

Message

From: O'Lone, Mary [o'lonemary@epa.gov]
Sent: 4/20/2016 1:18:50 PM
To: Langstaff, John [Langstaff.John@epa.gov]
Subject: Re: NC CAFO TITLE VI complaint

John-

I have cc'd the others in OCR & OGC who are working on the investigation.

FYI, everyone else-

I gave both John & George Utting (our OW contact) access to the REACH SharePoint site where we've uploaded a lot of studies -- at least those that were submitted as attachments to the complaint and a few others.

Thanks, Mary

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
(202) 564-4992

From: Langstaff, John
Sent: Wednesday, April 20, 2016 8:47 AM
To: O'Lone, Mary
Subject: RE: NC CAFO TITLE VI complaint

I have that spreadsheet, but, as you say, there is not information on how many hogs in each facility. Perhaps OCR could include that in their request.

Thanks, John

From: O'Lone, Mary
Sent: Wednesday, April 20, 2016 7:46 AM
To: Langstaff, John <Langstaff.John@epa.gov>
Subject: Re: NC CAFO TITLE VI complaint

Let me check with OCR. OCR is going to send a request for information to NC DEQ soon, but I am not sure how soon. What is the info you are trying to access?

They do still have an interactive map and a spreadsheet with facility location & ownership information, but not much beyond that (i.e., I can't tell how many hogs etc.).

<https://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/animal-feeding-operation-permits/animal-facility-map>

Ex. 5 - Deliberative Process/Atty Client

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
(202) 564-4992

From: Langstaff, John
Sent: Tuesday, April 19, 2016 4:44 PM
To: O'Lone, Mary
Subject: NC CAFO TITLE VI complaint

Mary,

The CALPUFF/CAFOs paper by Ogneva-Himmelberger references a NC DEQ site where they downloaded animal operations data from (<http://portal.ncdenr.org/web/wq/animal-facility-map>). This site does not seem to be available and I can't find a way to download these data.

Ex. 5 - Deliberative Process

Thanks, John

John E. Langstaff
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency (C539-07)
Research Triangle Park, NC 27711
Phone (919) 541-1449 | Fax (919) 541-5315

Message

From: O'Lone, Mary [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6402E17D09FB4045A42AE0FA0406DB2B-O'LONE, MARY]
Sent: 4/19/2016 2:56:02 PM
To: Johnson, Johanna [Johnson.Johanna@epa.gov]
Subject: If you have time today -- draft questions for Dr. Wing
Attachments: 11R-14-R4 Interview Questions for Dr. Wing.mmo.docx

J-
I started going through them. Can you take a look at the ones I haven't touched?
If you want to take a stab at the ones related to the studies you can, but really it is the other ones.
I need to understand better what both studies were looking at

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 564-4992

Message

From: O'Lone, Mary [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6402E17D09FB4045A42AE0FA0406DB2B-O'LONE, MARY]
Sent: 10/17/2016 8:16:08 PM
To: Tommelleo, Nancy [Tommelleo.Nancy@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]; Diaz, Denisse [Diaz.Denisse@epa.gov]
Subject: Visual for today
Attachments: North Carolina maps counties and hog farm location.docx

FYI. This is a variation of the visual used in the meeting with Ethan a month or so ago.
I will be distributing it today.
Thanks, Mary

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 564-4992

To: Neal, Daria (CRT)[Daria.Neal@usdoj.gov]; Gelman, Laurie (CRT)[Laurie.Gelman@usdoj.gov]; Fitzpatrick, Ryan (CRT)[Ryan.Fitzpatrick2@usdoj.gov]; Lareau, Alyssa (CRT)[Alyssa.Lareau@usdoj.gov]
From: O'Lone, Mary
Sent: Fri 1/30/2015 6:12:17 PM
Subject: FYI -- news re: CAFOs
CALPUFF and CAFOs Air Pollution Modeling and Environmental Justice Analysis in the North Carolina Hog Industry.pdf

FYI.

Another study has been published regarding health effects of swine CAFOs in NC. (See attached). According to the article study used air modelling to estimate ammonia concentrations at locations downwind of swine CAFOs and to evaluate the disproportionate exposure of children, elderly, whites and minorities to the pollutant in one NC watershed. "Ammonia is one of the gases emitted by swine CAFOs and could affect human health. . . . Our results show that the average ammonia concentrations in hot spots for 2000 and 2010 were 2.5–3-times higher than the average concentration in the entire watershed." Later article summarizes results by saying: ". . . areas with high ammonia concentrations are surrounded by areas with high numbers of vulnerable population. Although the population in three vulnerable groups within hot spots has slightly decreased between the two years, the number of people disproportionately exposed to ammonia concentrations was still large in 2010: 2444 children, 1288 elderly people, 9537 whites and 3915 minorities."

The article also provides a critique of some of the studies submitted by REACH or discussed in the complaint & says that it has attempted to address the shortcomings of those studies: "One of the limitations of these studies is that CAFO characteristics (the number of facilities or the number of hogs) are used as a surrogate measure of potential pollution produced by CAFOs. Our study tries to address this gap in the literature and uses modeled pollutant concentrations in the air as a measure of population exposure."

Also, EPA was sued earlier this week for failing to set a NAAQS for ammonia & the plaintiffs are specifically concerned about the ammonia emissions from CAFOs. According to the news article: "The groups filed petitions in 2009 and 2011 asking the agency to set national ambient air quality standards for ammonia. When nitrogen from manure decomposes, it releases several gases, one of which is ammonia. Ammonia can volatilize, and when it does, it's harmful to farm laborers, birds and the neighboring homes. The agency didn't respond to the petitions, and the groups felt it had had enough time to do so. The legal action asks the courts to compel the EPA to address the petitions. If the EPA agrees to address the petitions and then finds them without merit, the groups say, they will file further legal action."

http://www.bayjournal.com/blog/post/epa_sued_over_inaction_on_factory_farm_air_pollution

(Thanks

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

Message

From: O'Lone, Mary [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6402E17D09FB4045A42AE0FA0406DB2B-O'LONE, MARY]
Sent: 1/12/2017 9:58:43 PM
To: Dorka, Lilian [Dorka.Lilian@epa.gov]; Packard, Elise [Packard.Elise@epa.gov]
CC: Temple, Kurt [Temple.Kurt@epa.gov]; Adam Wilson (wilson.adam@epa.gov) [wilson.adam@epa.gov]
Subject: Final draft of REACH letter
Attachments: REACH LOC to NC DEQ 1.12.2017.docx

Lilian-

Here is the final draft of the letter. I took one last read through & made minor edits to get rid of redundant words, typos, etc.

Ex. 5 - Deliberative Process/Atty Client

I will send along some language for your cover notes shortly.

Thanks, Mary

Mary M. O'Lone
Civil Rights and Finance Law Office
Office of General Counsel, US EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 564-4992

To: Isales, Daniel[Isales.Daniel@epa.gov]
From: O'Lone, Mary
Sent: Wed 1/21/2015 1:36:31 PM
Subject: Re: Our next discussion on REACH

ok

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Isales, Daniel
Sent: Wednesday, January 21, 2015 8:02 AM
To: O'Lone, Mary
Subject: RE: Our next discussion on REACH

Mary,

Thank you very much. I'm reading the DOJ chapters you sent me in order to help organize my thoughts. If I get through that today then I will likely touch base with you.
Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

Isales.daniel@epa.gov

From: O'Lone, Mary
Sent: Wednesday, January 21, 2015 8:00 AM
To: Isales, Daniel
Subject: Re: Our next discussion on REACH

Oh, have a great trip. I hope they are well.

I will let Laurie know.

I will probably catch up with her after she reads the chapter & let you know what she says. Then we both can talk to her after you get back.

I tried to write the summary for Ex. 5 - Deliberative Process/Atty Client I have & Katsumi had uploaded stuff with wrong names, etc. so spent time sending him corrections.

Am writing the thing now.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Isales, Daniel
Sent: Wednesday, January 21, 2015 7:50 AM
To: O'Lone, Mary
Subject: RE: Our next discussion on REACH

Mary,

Sorry, but no. I'm on leave starting tomorrow morning. Heading back home for a week to check in on my parents. I will be back to work on the 29th. Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

Isales.daniel@epa.gov

From: O'Lone, Mary
Sent: Wednesday, January 21, 2015 7:43 AM
To: Isales, Daniel
Subject: Fw: Our next discussion on REACH

Would you be able to talk with Laurie on Friday afternoon re: whatever it was we wanted to talk to her about?

I need to get more sleep. I don't have a firm grip on it but I bet I wrote a really long email about it.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Gelman, Laurie (CRT) <Laurie.Gelman@usdoj.gov>

Sent: Wednesday, January 21, 2015 7:26 AM

To: O'Lone, Mary

Subject: RE: Our next discussion on REACH

Ex. 5 - Deliberative Process/Atty Client

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]

Sent: Tuesday, January 20, 2015 1:14 PM

To: Gelman, Laurie (CRT)

Subject: RE: Our next discussion on REACH

Dan & I usually talk on Thursday mornings at 10, but we are both probably flexible on that.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Gelman, Laurie (CRT) [<mailto:Laurie.Gelman@usdoj.gov>]

Sent: Tuesday, January 20, 2015 12:29 PM

To: O'Lone, Mary

Subject: RE: Our next discussion on REACH

Ex. 5 - Deliberative Process/Atty Client

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]

Sent: Tuesday, January 20, 2015 9:53 AM

To: Gelman, Laurie (CRT)

Subject: RE: Our next discussion on REACH

Not around then, but I am in all week this week.

I would like to talk to you too about intent ... as well. I think Dan Isales would like to be on the call too is that is OK

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Gelman, Laurie (CRT) [<mailto:Laurie.Gelman@usdoj.gov>]

Sent: Friday, January 16, 2015 11:25 AM

To: O'Lone, Mary

Subject: RE: Our next discussion on REACH

Are you around today?

Ex. 5 - Deliberative Process/Atty Client

Ex. 5 - Deliberative Process/Atty Client

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]

Sent: Tuesday, January 13, 2015 10:31 AM

To: Gelman, Laurie (CRT)

Subject: RE: Our next discussion on REACH

Other trick that helped (esp. in winter) was to have her sit on the floor & let her look/read books while I dried her hair.

I still help her dry her hair – she has so much of it. It is also a time when we can chat about girl stuff (from potential hair styles to how to shave your legs to negotiating social stuff at school) b/c she is relaxed.

Kind of like those monkeys who groom each other all the time.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Gelman, Laurie (CRT) [<mailto:Laurie.Gelman@usdoj.gov>]

Sent: Tuesday, January 13, 2015 10:26 AM

To: O'Lone, Mary

Subject: RE: Our next discussion on REACH

In the bathtub. Genius!!

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]

Sent: Tuesday, January 13, 2015 10:24 AM

To: Gelman, Laurie (CRT)

Subject: RE: Our next discussion on REACH

As far as I am concerned, I get the fun & interesting stuff here.

Greer actually gets ticked off if I wake her up at 11. Which I have to do in order to get her to go to sleep at a decent hour & not screw up her whole schedule.

Have the 5 yr old brush standing in the bathtub or shower stall. At least it will be contained.

It was flossing her teeth that drove me nuts. Trying to cram your hand in that tiny mouth.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Gelman, Laurie (CRT) [<mailto:Laurie.Gelman@usdoj.gov>]

Sent: Tuesday, January 13, 2015 10:11 AM

To: O'Lone, Mary

Subject: RE: Our next discussion on REACH

You have given me hope that someday these kids will sleep until 11 am! Totally cracked me up re the nightly ablutions. And gave me some perspective too. My 5 yo wants to brush herself and gets the tooth paste all over the bathroom – like 5 times per day.

So, is there anything you're NOT working on over there? Seems like I see you on everything that comes across my email.

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]

Sent: Friday, January 09, 2015 5:51 PM

To: Gelman, Laurie (CRT)

Subject: RE: Our next discussion on REACH

Nope only one kid & I didn't work when she was small.

Went back when she was in 2nd grade.

It may get better. Greer has been a sleeper since early elementary school.

By 4th grade she was like a teenager – sleeping until 11 or later on weekends. It is still hard to get her to go to bed though.

I will say on the annoying front – while I don't have to help her brush her teeth or wash her face at night, I still have to hound her to do the hygiene things. She is 12 ½ -- I thought by now she'd be over-showering & brushing her teeth to nubs. Tom & I are still saying thing like "it is your turn to put her to bed" b/c if we don't ride her she can stretch her nightly ablutions to last hours. She reads, looks at her cell phone, examines her hair, plays with the cat. Everything but apply water to some part of her body.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Gelman, Laurie (CRT) [<mailto:Laurie.Gelman@usdoj.gov>]

Sent: Friday, January 09, 2015 5:44 PM

To: O'Lone, Mary

Subject: RE: Our next discussion on REACH

Oh good. I'm so tired. Sometime give me some pointers on coping with two kids and a job (you have two right?).

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]
Sent: Friday, January 09, 2015 5:43 PM
To: Gelman, Laurie (CRT); Dorka, Lilian
Cc: Neal, Daria (CRT)
Subject: RE: Our next discussion on REACH

Yep, it worked – thanks.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Gelman, Laurie (CRT) [<mailto:Laurie.Gelman@usdoj.gov>]
Sent: Friday, January 09, 2015 5:42 PM
To: O'Lone, Mary; Dorka, Lilian
Cc: Neal, Daria (CRT)
Subject: RE: Our next discussion on REACH

So sorry! It's been a long day. Let me know if this link works.

http://www.justice.gov/crt/about/app/briefs_educ.php

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]

Sent: Friday, January 09, 2015 5:41 PM
To: Gelman, Laurie (CRT); Dorka, Lilian
Cc: Neal, Daria (CRT)
Subject: RE: Our next discussion on REACH

Welcome back.

Thanks so much for the heads up & cite.

I didn't see a link though

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Gelman, Laurie (CRT) [<mailto:Laurie.Gelman@usdoj.gov>]
Sent: Friday, January 09, 2015 5:34 PM
To: O'Lone, Mary; Dorka, Lilian
Cc: Neal, Daria (CRT)
Subject: RE: Our next discussion on REACH

Ex. 5 - Deliberative Process/Atty Client

Have a nice weekend! Laurie

Laurie Gelman

Attorney

Federal Coordination and Compliance Section

Civil Rights Division

U.S. Department of Justice

laurie.gelman@usdoj.gov

Phone: (202) 616-8463/ **Ex. 6 - Personal Privacy**

Fax: (202) 307-0595

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]

Sent: Thursday, January 08, 2015 3:48 PM

To: Neal, Daria (CRT)

Cc: Dorka, Lilian; Wooden-Aguilar, Helena; Rhodes, Julia; Lareau, Alyssa (CRT); Gelman, Laurie (CRT); Fitzpatrick, Ryan (CRT); Moffa, Anthony

Subject: Re: Our next discussion on REACH

Daria-

Ex. 5 - Deliberative Process/Atty Client

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Neal, Daria (CRT) <Daria.Neal@usdoj.gov>

Sent: Thursday, January 8, 2015 3:34 PM

To: O'Lone, Mary

Cc: Dorka, Lilian; Wooden-Aguilar, Helena; Rhodes, Julia; Lareau, Alyssa (CRT); Gelman, Laurie (CRT); Fitzpatrick, Ryan (CRT)

Subject: RE: Our next discussion on REACH

Hi Mary,

We are very excited about Lilian joining your team.

Ex. 5 - Deliberative Process/Atty Client

Ex. 5 - Deliberative Process/Atty Client

Thanks.

Daria

Daria E. Neal

Deputy Chief

Federal Coordination and Compliance Section

Civil Rights Division

United States Department of Justice

Email: daria.neal@usdoj.gov

Tel: (202) 305-3346

Fax: (202) 307-0595

Follow the Civil Rights Division on Twitter: [@CivilRights](#)

Sign up [here](#) for our Title VI Newsletter, and read past issues [here](#).

From: O'Lone, Mary [<mailto:OLone.Mary@epa.gov>]
Sent: Wednesday, January 07, 2015 2:48 PM
To: Neal, Daria (CRT)
Cc: Dorka, Lilian; Wooden-Aguilar, Helena; Rhodes, Julia
Subject: Our next discussion on REACH

Daria-

OCR has a new Deputy (Lilian Dorka from Dept. of Ed.) & we've been talking about the REACH complaint. She would like to be in our next call, so we are going to push it off until sometime later next week after we have a clearer picture on the status of the letter & Lilian's schedule. Just wanted to give you a heads up & we'll set something up once we have a better bead on a good dates. Thanks, Mary.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

Message

From: Tommelleo, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=128AD8B80F3447C98955282F34719576-TOMMELLEO, NANCY]
Sent: 10/13/2016 4:01:50 PM
To: Lapierre, Kenneth [Lapierre.Kenneth@epa.gov]; Gordon, Scott [Gordon.Scott@epa.gov]; Diaz, Denisse [Diaz.Denisse@epa.gov]; Giattina, James [Giattina.Jim@epa.gov]; Farmer, Alan (Farmer.Alan@epa.gov) [Farmer.Alan@epa.gov]; Wilkes, Mary [Wilkes.Mary@epa.gov]
Subject: FW: FYI - E&E on impact of hurricane on NC CAFOs

FYI. Greenwire news article below on hurricane impact to coal ash ponds and CAFOs.



Nancy L. Tommelleo
Deputy Regional Counsel

United States Environmental Protection Agency
Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

tel: 404.562.9571
fax: 404.562.9663
tommelleo.nancy@epa.gov

Confidentiality Notice: This communication is being sent to you by an attorney and is intended only for the individual(s) or entity(s) to whom or to which it is addressed. This communication may contain information that is proprietary, privileged, enforcement confidential, or otherwise legally exempt from disclosure. If you have received this message in error, please notify the sender immediately by email and delete all copies of this message.

From: Dorka, Lilian
Sent: Thursday, October 13, 2016 10:30 AM
To: O'Lone, Mary <OLone.Mary@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>; Wilson, Adam <wilson.adam@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>
Cc: Tommelleo, Nancy <Tommelleo.Nancy@epa.gov>; Kreisler, Eva <Kreisler.Eva@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Roose, Rebecca <Roose.Rebecca@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: RE: FYI - E&E on impact of hurricane on NC CAFOs

This was the conversation of the day at the NEJAC yesterday. Leaving now to go over there. I am on at 2:00

Lilian Sotolongo Dorka
Acting Director, EPA, Office of Civil Rights
202-564-9649
WJC-N Room 2450

From: O'Lone, Mary
Sent: Thursday, October 13, 2016 10:27 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Farrell, Ericka <Farrell.Ericka@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Johnson, Johahna <Johnson.Johahna@epa.gov>;

Wilson, Adam <wilson.adam@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>

Cc: Tommelleo, Nancy <Tommelleo.Nancy@epa.gov>; Kreisler, Eva <Kreisler.Eva@epa.gov>; Greenwald, Kathryn <Greenwald.Kathryn@epa.gov>; Roose, Rebecca <Roose.Rebecca@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>
Subject: FW: FYI - E&E on impact of hurricane on NC CAFOs

In case you hadn't seen this latest.

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 564-4992

From: Prabhu, Aditi

Sent: Thursday, October 13, 2016 9:37 AM

To: O'Lone, Mary <Olone.Mary@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Shenkman, Ethan <Shenkman.Ethan@epa.gov>

Subject: FYI - E&E on impact of hurricane on NC CAFOs

Inundated farms, ash ponds bring more woes to soaked N.C.

Source: Greenwire

By: Tiffany Stecker

Flooding rivers in the wake of Hurricane Matthew are overwhelming coal ash ponds and livestock operations and dispersing the contaminants through North Carolina's waterways, riverkeeper organizations said today.

Since Monday, members of the Waterkeeper Alliance have shot aerial photos of the state's rivers mingling with lagoons containing animal manure and coal ash ponds.

Rick Dove, a senior adviser with the Waterkeeper Alliance, said he saw about five lagoons yesterday releasing raw animal waste to rivers.

"If you had a canoe you could actually paddle your canoe right in the river [from the lagoon]," he said.

Hurricane Matthew is the worst storm to hit North Carolina since 1999's Hurricane Floyd. The state has been particularly hit by inland flooding of rivers, rather than coastal flooding. The storm and subsequent floodwaters have killed 19 people in the state and 19 more in surrounding states. It killed at least 1,000 people when it slammed Haiti last week.

Southeastern North Carolina is home to the highest concentration of hog concentrated animal feeding operations — or CAFOs — in the country. Waterkeeper Alliance and the Environmental Working Group targeted the industry in a [report](#) earlier this year, finding that CAFOs in the state are responsible for nearly 10 billion gallons of waste annually, enough to top more than 15,000 Olympic-size swimming pools.

The state is also home to 32 coal ash basins managed by Duke Energy Corp., where a leak in 2014 led to more than 30,000 tons of ash spilling into the Dan River ([Greenwire](#), Oct. 7). Coal ash contains heavy metals and other toxic substances.

"We're all holding our breath that the situation doesn't get worse," said Cassie Gavin, director of government relations for the Sierra Club's North Carolina chapter. Though the state has made progress in its mapping of floodplains, it is still grappling with waste management from booming agricultural and energy industries.

Dove is also concerned that dead livestock will not be properly disposed of and will pollute the water with bacteria, a throwback to contamination concerns during the outbreak of the porcine epidemic diarrhea virus two years ago.

"It was pretty obvious to me that the chickens or turkeys inside were dying or did die," he said after his tour of the area.

The National Weather Service is projecting the Neuse River in Kinston will reach 27.5 feet by Saturday morning, nearing the record set by Hurricane Floyd. The Cape Fear River is expected to crest at 15.8 feet by Friday, three times the elevation of its normal flow.

Floyd, which caused \$1 billion in damage and killed 48 people 17 years ago, flooded farm lagoons, spurring the North Carolina Department of Environment & Natural Resources to implement an emergency waste management strategy to keep hog and poultry feces out of the water supply. The strategy banned the reconstruction of damaged lagoons in the floodplain.

Hurricane Matthew may be dramatic, but the overflow of animal waste and coal ash is not new after a storm, said Dove.

"This is historically an area that floods and does great damage to the environment every time," he said of the Northeast Cape Fear River area in the southeastern part of the state.

Another area of concern is around Goldsboro, N.C., where Duke Energy's retired H.F. Lee coal-fired power plant is located.

"It's almost indescribable how much water is over that power plant right now," said Travis Graves, riverkeeper for the lower Neuse River, which empties in Pamlico Sound about 100 miles north of Wilmington, N.C.

There are three inactive coal ash storage ponds near Goldsboro. Two are almost entirely under water, said Graves.

In a televised gubernatorial debate last night, Gov. Pat McCrory (R) and his Democratic challenger, state Attorney General Roy Cooper, both referenced the floods in their opening statements and urged the state to come together during its hour of need. McCrory also issued a stark warning to residents of certain areas of Moore County to evacuate immediately, because Woodlake Dam is in danger of failing.

Cooper claimed credit for creating North Carolina's disaster relief fund as state Senate majority leader in 1999, when the state was coping with damage from Hurricane Floyd. He said McCrory declined to veto a bill that would remove \$500,000 in lawyers' fees from the fund.

"It's still in the disaster relief fund," McCrory insisted.

Cooper has criticized McCrory for his administration's management of the 2014 coal ash spill. A recent TV ad calls McCrory the "Duke Energy Governor" ([Greenwire](#), Sept. 2).

Aditi Prabhu
Special Assistant, Office of General Counsel
U.S. Environmental Protection Agency
(202)564-2473

To: Neal, Daria (CRT)[Daria.Neal@usdoj.gov]
From: Wooden-Aguilar, Helena
Sent: Thur 11/6/2014 9:46:26 PM
Subject: Re: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

K. See you tomorrow.

Helena Wooden-Aguilar
Assistant Director
External Civil Rights - US EPA
202-564-0792 (office)
Ex. 6 - Personal Privacy
wooden-aguilar.helena@epa.gov

On Nov 6, 2014, at 4:03 PM, "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov> wrote:

Just started typing it up so it will come you shortly.

From: Wooden-Aguilar, Helena [<mailto:Wooden-Aguilar.Helena@epa.gov>]
Sent: Thursday, November 06, 2014 4:02 PM
To: Neal, Daria (CRT)
Subject: RE: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Daria-

Will the agenda come tomorrow?

Helena

From: Neal, Daria (CRT) [<mailto:Daria.Neal@usdoj.gov>]
Sent: Wednesday, November 05, 2014 5:35 PM
To: Wooden-Aguilar, Helena
Cc: Lareau, Alyssa (CRT); Fitzpatrick, Ryan (CRT)
Subject: Re: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Ex. 5 - Deliberative Process/Atty Client

I think that's it for now but you know things will pop during our talk.

Daria

From: Wooden-Aguilar, Helena [<mailto:Wooden-Aguilar.Helena@epa.gov>]
Sent: Wednesday, November 05, 2014 04:58 PM Eastern Standard Time
To: Neal, Daria (CRT)
Subject: Re: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Thx! I wanted to ask are you traveling here or via telephone? Also, should OCR create a agenda? Is there docs we need to review prior? Just want to be prepared. Helena

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Nov 5, 2014, at 12:58 PM, "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov> wrote:

Hi Helena,

2:00 will work for us. Thanks.

Daria

From: Wooden-Aguilar, Helena [<mailto:Wooden-Aguilar.Helena@epa.gov>]
Sent: Tuesday, November 04, 2014 6:12 PM
To: Neal, Daria (CRT)
Cc: Whickum, Cheryl; Covington, Jeryl
Subject: Re: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Sorry. Confused the DOJ meetings.

We are free at 2 pm. Does that work?

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Nov 3, 2014, at 1:29 PM, "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov> wrote:

Hi Helena,

Any time after 11 will work for us. Thanks.

From: Wooden-Aguilar, Helena [<mailto:Wooden-Aguilar.Helena@epa.gov>]
Sent: Monday, November 03, 2014 1:13 PM
To: Neal, Daria (CRT)
Cc: Whickum, Cheryl
Subject: RE: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Daria-

What times work for DOJ? We are open on our end.

Helena

From: Neal, Daria (CRT) [<mailto:Daria.Neal@usdoj.gov>]
Sent: Monday, November 03, 2014 1:12 PM
To: Golightly-Howell, Velveta
Cc: O'Lone, Mary; Lareau, Alyssa (CRT); Packard, Elise; Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Gelman, Laurie (CRT); Rhodes, Julia
Subject: RE: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Thanks Velveta. We look forward to pinning down a time Friday.

From: Golightly-Howell, Velveta [<mailto:Golightly-Howell.Velveta@epa.gov>]
Sent: Saturday, November 01, 2014 9:37 AM
To: Neal, Daria (CRT)
Cc: O'Lone, Mary; Lareau, Alyssa (CRT); Packard, Elise; Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Gelman, Laurie (CRT); Rhodes, Julia
Subject: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Hi Daria. Your message fell and I'm just seeing it. By now, you know from Helena that we're planning to meet w/you, et al. next Friday. Thanks for letting us know it'll work. We'll need to schedule the meeting for the afternoon. As for the letter, as I let you know at DOJ's 10/2 Title VI training, the draft was under review by senior officials. It still is. We, however, anticipate that it'll be issued soon. Take care everyone.

Velveta

From: Neal, Daria (CRT) <Daria.Neal@usdoj.gov>
Sent: Thursday, October 30, 2014 5:13:29 PM
To: Golightly-Howell, Velveta; Rhodes, Julia

Cc: O'Lone, Mary; Lareau, Alyssa (CRT); Packard, Elise; Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Gelman, Laurie (CRT)
Subject: RE: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Hello Velveta and Julia,

Ex. 5 - Deliberative Process/Atty Client

As far as dates for us, Fridays are generally not good. It looks like Tuesdays or Thursdays the next few weeks may work but there are a few holidays that may make scheduling a challenge.

Thanks.

Daria

From: Golightly-Howell, Velveta [<mailto:Golightly-Howell.Velveta@epa.gov>]
Sent: Thursday, October 23, 2014 5:57 PM
To: Neal, Daria (CRT)
Cc: O'Lone.Mary@epa.gov; Lareau, Alyssa (CRT); Packard, Elise; Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Rhodes, Julia
Subject: Re: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Hi Daria. Hope all's well w/you. I'll be traveling the week of 11/3 and the following week. I can meet on 11/14, 11/15, 11/21 or the week of Thanksgiving. We look forward to finding a date/time tat work. Take care.

Velveta

From: Neal, Daria (CRT) <Daria.Neal@usdoj.gov>
Sent: Thursday, October 23, 2014 3:23:59 PM
To: Golightly-Howell, Velveta; Wooden-Aguilar, Helena; Rhodes, Julia
Cc: O'Lone.Mary@epa.gov; Lareau, Alyssa (CRT); Packard, Elise; Fitzpatrick, Ryan (CRT)
Subject: RE: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Hello Velveta, Helena, and Julia.

Ex. 5 - Deliberative Process/Atty Client

Ex. 5 - Deliberative Process/Atty Client

Can you please let us know some dates and times you are available)?

Thanks.

Best,

Daria

Daria E. Neal

Deputy Chief

Federal Coordination and Compliance Section

Civil Rights Division

United States Department of Justice

Email: daria.neal@usdoj.gov

Tel: (202) 305-3346

Fax: (202) 307-0595

Follow the Civil Rights Division on Twitter: [@CivilRights](https://twitter.com/CivilRights)

Sign up [here](#) for our Title VI Newsletter, and read past issues [here](#).

From: Golightly-Howell, Velveta [<mailto:Golightly-Howell.Velveta@epa.gov>]

Sent: Friday, September 26, 2014 6:36 PM

To: Neal, Daria (CRT)

Cc: Jang, Deeana (CRT); Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Rhodes, Julia; O'Lone.Mary@epa.gov; Lareau, Alyssa (CRT); Packard, Elise

Subject: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Ex. 5 - Deliberative Process

Velveta

From: Neal, Daria (CRT) [<mailto:Daria.Neal@usdoj.gov>]

Sent: Friday, September 26, 2014 6:09 PM

To: Golightly-Howell, Velveta; Lareau, Alyssa (CRT)

Cc: Jang, Deeana (CRT); Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Rhodes, Julia; O'Lone.Mary@epa.gov

Subject: RE: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Hi Velveta,

Ex. 5 - Attorney Client

Ex. 5 - Attorney Client

Have a good weekend.

Daria

From: Golightly-Howell, Velveta [<mailto:Golightly-Howell.Velveta@epa.gov>]

Sent: Wednesday, September 24, 2014 8:38 PM

To: Lareau, Alyssa (CRT); Neal, Daria (CRT)

Cc: Jang, Deeana (CRT); Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Rhodes, Julia; O'Lone.Mary@epa.gov

Subject: REACH, Inc. (Complaint under Title VI of the Civil Rights Act of 1964)

Ex. 5 - Deliberative Process

Velveta

From: Lareau, Alyssa (CRT) <Alyssa.Lareau@usdoj.gov>
Sent: Tuesday, September 23, 2014 2:51:39 PM
To: Golightly-Howell, Velveta; Neal, Daria (CRT)
Cc: Jang, Deeana (CRT); Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Wooden-Aguilar, Helena
Subject: RE: Complaint under Title VI of the Civil Rights Act of 1964

All,

We are looking forward to our phone discussion at noon tomorrow. Let's use the following call in information:

Ex. 6 - Personal Privacy

Let me know if you have any questions.

Alyssa

Alyssa C. Lareau

Attorney

Federal Coordination and Compliance Section

U.S. Department of Justice - Civil Rights Division

Direct: (202) 305-2994 [voice]

alyssa.lareau@usdoj.gov

<http://www.justice.gov/crt/about/cor/>

From: Golightly-Howell, Velveta [<mailto:Golightly-Howell.Velveta@epa.gov>]

Sent: Monday, September 22, 2014 5:28 PM

To: Neal, Daria (CRT)

Cc: Jang, Deeana (CRT); Lareau, Alyssa (CRT); Fitzpatrick, Ryan (CRT); Wooden-Aguilar, Helena; Wooden-Aguilar, Helena

Subject: RE: Complaint under Title VI of the Civil Rights Act of 1964

Hi Daria. While I'd welcome the opportunity to sit down with you all, I have a meeting with a regional official that's not scheduled to end until noon on the 24th. Take care.

Velveta

Velveta Golightly-Howell

Director, Office of Civil Rights

Environmental Protection Agency

1200 Pennsylvania Avenue, N.W.

Mail Code 1201A

Washington, DC 20460

202-564-6685

From: Neal, Daria (CRT) [<mailto:Daria.Neal@usdoj.gov>]

Sent: Monday, September 22, 2014 5:20 PM

To: Wooden-Aguilar, Helena

Cc: Golightly-Howell, Velveta; Jang, Deeana (CRT); Lareau, Alyssa (CRT); Fitzpatrick, Ryan (CRT)

Subject: RE: Complaint under Title VI of the Civil Rights Act of 1964

Hi Helena,

That works well for us. Would you prefer to meet in person or by phone? We can come to your office.

Daria

From: Wooden-Aguilar, Helena [<mailto:Wooden-Aguilar.Helena@epa.gov>]

Sent: Monday, September 22, 2014 3:08 PM

To: Neal, Daria (CRT)

Cc: Golightly-Howell, Velveta; Jang, Deeana (CRT); Lareau, Alyssa (CRT); Fitzpatrick, Ryan (CRT)

Subject: Re: Complaint under Title VI of the Civil Rights Act of 1964

Hi Daria

I am working on scheduling this meeting. How does the 24th at noon work for you and others at Justice?

Helena

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Sep 18, 2014, at 12:49 PM, "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov> wrote:

Hi Velveta and Helena,

Ex. 5 - Attorney Client

Can you let us know some dates over the next two weeks that you are available to meet?

Also, we are missing some parts of the exhibits. If you have the following, can you please email them to us.:

- Vol I - Exs 1-26. The pdf stopped at Ex 6, sub-exhibit 11 (We have Ex. 6, the Declaration of **Ex. 6 - Personal Privacy** and sub-exhibits 1-11 of that

Declaration but not sub-exhibits 12-17 of that declaration). We are missing Exhibits 7-26 in their entirety.

- Ex 39 documents are very blurry. Did you all receive a clear copy?

Thank you so much.

Daria

From: Jocelyn D'Ambrosio [mailto:jdambrosio@earthjustice.org]

Sent: Wednesday, September 03, 2014 6:39 PM

To: 'mccarthy.gina@epa.gov'; 'Title VI Complaints@epa.gov'

Cc: 'wooden-aguilar.helena@epa.gov'; 'Tejada.matthew@epa.gov'; 'McTeertoney.heather@Epa.gov'; 'Halim-Chestnut.naima@Epa.gov'; Neal, Daria (CRT); 'tom.reeder@ncdenr.gov'; 'christine.lawson@ncdenr.gov';

Ex. 6 - Personal Privacy

Subject: Complaint under Title VI of the Civil Rights Act of 1964

Dear Administrator McCarthy and Ms. Golightly-Howell,

On March 7, 2014, the North Carolina Department of Environment and Natural Resources ("DENR") issued a general permit that allows industrial swine facilities in North Carolina to operate with grossly inadequate and outdated systems of controlling animal waste and little provision for government oversight, which has an unjustified disproportionate impact on the basis of race and national origin against African Americans, Latinos, and Native Americans in violation of Title VI of the Civil Rights Act of 1964 and EPA's implementing regulations.

North Carolina Environmental Justice Network, Rural Empowerment Association for Community Help, and Waterkeeper Alliance, Inc. ("Complainants") hereby submit the attached complaint against DENR and request that EPA investigate the complaint and require that DENR come into compliance with the law.

As you may know, Complainants and other community members in eastern North Carolina have complained to DENR about the adverse effects of the swine industry on their health and environment for years, to no avail. Today, Complainants ask that EPA take action.

We will be forwarding exhibits by separate email and, also, sending hard copies overnight by Federal Express to each of your offices. Of course, please let us know if these materials raise any question. We would welcome the opportunity to discuss the complaint.

Sincerely,

Jocelyn D'Ambrosio and Marianne Engelman Lado

Jocelyn D'Ambrosio

Associate Attorney

Earthjustice Northeast Office

48 Wall Street, 19th Floor
New York, New York 10005
T: 212-845-7385
F: 212-918-1556
earthjustice.org

<image001.gif>

The information contained in this email message may be privileged, confidential and protected from disclosure.

If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.

If you think that you have received this email message in error, please notify the sender by reply email and

delete the message and any attachments.

To: Whickum, Cheryl[Whickum.Cheryl@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Mon 9/22/2014 6:59:25 PM
Subject: Re: Meeting with US DOJ by Ms. Helena __ re: Complaint under Title VI of the Civil Rights Act of 1964

Cheryl

I need to check with DOJ.

Helena

Helena Wooden-Aguilar
Assistant Director
External Civil Rights - US EPA
202-564-0792 (office)
Ex. 6 - Personal Privacy
wooden-aguilar.helena@epa.gov

> On Sep 22, 2014, at 2:55 PM, "Whickum, Cheryl" <Whickum.Cheryl@epa.gov> wrote:
>
> -----
> From: Wooden-Aguilar, Helena
> Sent: Monday, September 22, 2014 10:01 AM
> To: Harper, Nicko; Whickum, Cheryl
> Cc: Packard, Elise; Golightly-Howell, Velveta; Rhodes, Julia; Covington, Jeryl; O'Lone, Mary
> Subject: Fwd: Complaint under Title VI of the Civil Rights Act of 1964
> Attachments: image001.gif
>
> Hi ladies,
>
> OCR needs to schedule a meeting with the US DOJ this week, if possible. I will ask DOJ who we should coordinate but wanted to give you a heads up in case there were days that worked better.
>
> Thanks
>
> Helena Wooden-Aguilar
> Assistant Director
> External Civil Rights - US EPA
> 202-564-0792 (office)
> **Ex. 6 - Personal Privacy**
> wooden-aguilar.helena@epa.gov<mailto:wooden-aguilar.helena@epa.gov>
>
>
> Begin forwarded message:
>
>
>
> From: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov<mailto:Wooden-Aguilar.Helena@epa.gov>>
> Date: September 18, 2014 at 2:20:14 PM EDT
> To: "Neal, Daria (CRT)" <Daria.Neal@usdoj.gov<mailto:Daria.Neal@usdoj.gov>>
> Cc: "Golightly-Howell, Velveta" <Golightly-Howell.Velveta@epa.gov<mailto:Golightly-Howell.Velveta@epa.gov>>, "Jang, Deeana (CRT)"

<Deeana.Jang@usdoj.gov<mailto:Deeana.Jang@usdoj.gov>>, "Lareau, Alyssa (CRT)"
<Alyssa.Lareau@usdoj.gov<mailto:Alyssa.Lareau@usdoj.gov>>, "Fitzpatrick, Ryan (CRT)"
<Ryan.Fitzpatrick2@usdoj.gov<mailto:Ryan.Fitzpatrick2@usdoj.gov>>, "Rhodes, Julia"
<Rhodes.Julia@epa.gov<mailto:Rhodes.Julia@epa.gov>>, "Packard, Elise"
<Packard.Elise@epa.gov<mailto:Packard.Elise@epa.gov>>, "O'Lone, Mary"
<OLone.Mary@epa.gov<mailto:OLone.Mary@epa.gov>>

> Subject: Re: Complaint under Title VI of the Civil Rights Act of 1964

>

>

>

> Daria

>

> Thanks for your email. I will check calendars and get back to you ASAP.

>

> Helena

>

> Helena Wooden-Aguilar

> Assistant Director

> External Civil Rights - US EPA

> 202.564.0792 (office)

> **Ex. 6 - Personal Privacy**

> wooden-aguilar.helena@epa.gov<mailto:wooden-aguilar.helena@epa.gov>

>

>

> On Sep 18, 2014, at 12:49 PM, "Neal, Daria (CRT)"

<Daria.Neal@usdoj.gov<mailto:Daria.Neal@usdoj.gov>> wrote:

>

>

>

> Hi Velveta and Helena,

>

>

Ex. 5 - Deliberative Process/Atty Client

>

>

> Can you let us know some dates over the next two weeks that you are available to meet?

>

>

>

> Also, we are missing some parts of the exhibits. If you have the following, can you please email them to us.:

>

> Vol I - Exs 1-26. The pdf stopped at Ex 6, sub-exhibit 11 (We have Ex. 6, the Declaration of
<Ex. 6 - Personal Privacy> and sub-exhibits 1-11 of that Declaration but not sub-exhibits 12-17 of that declaration).

We are missing Exhibits 7-26 in their entirety.

>

> Ex 39 documents are very blurry. Did you all receive a clear copy?

>

>

>

> Thank you so much.
>
> Daria
>
>
>
> From: Jocelyn D'Ambrosio [mailto:jdambrosio@earthjustice.org]
> Sent: Wednesday, September 03, 2014 6:39 PM
> To: 'mccarthy.gina@epa.gov<mailto:mccarthy.gina@epa.gov>';
> 'Title_VI_Complaints@epa.gov<mailto:Title_VI_Complaints@epa.gov>'
> Cc: 'wooden-aguilar.helena@epa.gov<mailto:wooden-aguilar.helena@epa.gov>';
> 'Tejada.matthew@epa.gov<mailto:Tejada.matthew@epa.gov>';
> 'McTeertoney.heather@Epa.gov<mailto:McTeertoney.heather@Epa.gov>'; 'Halim-
> Chestnut.naima@Epa.gov<mailto:Halim-Chestnut.naima@Epa.gov>'; Neal, Daria (CRT);
> 'tom.reeder@ncdenr.gov<mailto:tom.reeder@ncdenr.gov>';
> 'christine.lawson@ncdenr.gov<mailto:christine.lawson@ncdenr.gov>';

Ex. 6 - Personal Privacy

> Subject: Complaint under Title VI of the Civil Rights Act of 1964
>
>
>
> Dear Administrator McCarthy and Ms. Golightly-Howell,
>
>
>
> On March 7, 2014, the North Carolina Department of Environment and Natural Resources ("DENR") issued a general permit that allows industrial swine facilities in North Carolina to operate with grossly inadequate and outdated systems of controlling animal waste and little provision for government oversight, which has an unjustified disproportionate impact on the basis of race and national origin against African Americans, Latinos, and Native Americans in violation of Title VI of the Civil Rights Act of 1964 and EPA's implementing regulations.
>
>
>
> North Carolina Environmental Justice Network, Rural Empowerment Association for Community Help, and Waterkeeper Alliance, Inc. ("Complainants") hereby submit the attached complaint against DENR and request that EPA investigate the complaint and require that DENR come into compliance with the law.
>
>
>
> As you may know, Complainants and other community members in eastern North Carolina have complained to DENR about the adverse effects of the swine industry on their health and environment for years, to no avail. Today, Complainants ask that EPA take action.
>
>
>
> We will be forwarding exhibits by separate email and, also, sending hard copies overnight by Federal Express to each of your offices. Of course, please let us know if these materials raise any question. We would welcome the opportunity to discuss the complaint.
>
>
>
> Sincerely,

> Jocelyn D'Ambrosio and Marianne Engelman Lado

> Jocelyn D'Ambrosio
>
> Associate Attorney
>
> Earthjustice Northeast Office
>
> 48 Wall Street, 19th Floor
> New York, New York 10005
> T: 212-845-7385
> F: 212-918-1556
> earthjustice.org<<http://www.e>

> <image001.gif>

> The information contained in this email message may be privileged, confidential and protected from disclosure.

> If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.

> If you think that you have received this email message in error, please notify the sender by reply email and

- > delete the message and any attachments.

> <meeting.ics>

To: Covington, Jeryl[Covington.Jeryl@epa.gov]; Stein, Jonathan[Stein.Jonathan@epa.gov]; Gsell, Alyssa[Gsell.Alyssa@epa.gov]; Farrell, Ericka[Farrell.Ericka@epa.gov]; Martinez, Brittany[Martinez.Brittany@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Thur 12/11/2014 2:26:00 AM
Subject: Fwd: for 12 meeting on REACH
[REACH intro for DCROs3.docx](#)
[ATT00001.htm](#)
[REACH 11R-14-R4 Acceptance Letter - Draft \(12 10 2014\) mmo.doc](#)
[ATT00002.htm](#)

FYI.

Helena Wooden-Aguilar
Assistant Director
External Civil Rights - US EPA
202-564-0792 (office)
Ex. 6 - Personal Privacy
wooden-aguilar.helena@epa.gov

Begin forwarded message:

From: "O'Lone, Mary" <OLone.Mary@epa.gov>
Date: December 10, 2014 at 11:51:08 AM EST
To: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>, "Packard, Elise" <Packard.Elise@epa.gov>, "Moffa, Anthony" <Moffa.Anthony@epa.gov>
Cc: "Covington, Jeryl" <Covington.Jeryl@epa.gov>, "Farrell, Ericka" <Farrell.Ericka@epa.gov>, "Rhodes, Julia" <Rhodes.Julia@epa.gov>
Subject: for 12 meeting on REACH

Draft letter with proposed additional sentences about what acceptance means and background/plan document that is way too long & will be cut into pieces for 12 meeting.

Please call me to lop me in.

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
Cc: Rhodes, Julia[Rhodes.Julia@epa.gov]
From: O'Lone, Mary
Sent: Tue 1/13/2015 2:08:28 PM
Subject: RE: For Legal Review- DRAFT REACHDesk Statement

I only raise the pinpointing again b/c Nancy thought it would be important to explain upfront. In thinking about it this morning, I was wondering if maybe we explain it to NC DENR in their letter. What do you all think?

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena
Sent: Monday, January 12, 2015 6:03 PM
To: O'Lone, Mary
Cc: Rhodes, Julia
Subject: Re: For Legal Review- DRAFT REACHDesk Statement

Our thought was those could be in the internal q/a's (which are coming).

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Jan 12, 2015, at 5:40 PM, "O'Lone, Mary" <OLone.Mary@epa.gov> wrote:

What about the ADR statement & the pin pointing one?

I thought ADR was part of the basic message. Also, R4 (and maybe Lilian, can't recall right now) thought that explaining something about how pinpointing works was important.

But maybe pinpointing is better handled in the Q & A.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena
Sent: Monday, January 12, 2015 4:45 PM
To: Rhodes, Julia; O'Lone, Mary
Subject: Fwd: For Legal Review- DRAFT REACHDesk Statement

We have revised according to your comments. Let's us know your thoughts.

Thanks,

Helena

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

Begin forwarded message:

From: "Covington, Jeryl" <Covington.Jeryl@epa.gov>

Date: January 12, 2015 at 3:12:01 PM EST

To: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>

Subject: DRAFT REACH DENR Desk Statement 011215.docx

Attached is the draft desk statement for Earthjustice/REACH. Most of the previously contained text will be included in the FAQs.

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
From: Covington, Jeryl
Sent: Tue 1/13/2015 1:45:16 PM
Subject: REACH Case Management Proposal 1 12 2015.docx
REACH Case Management Proposal 1 12 2015.docx

I have noted one (1) correction in reference of the NPDES permitting program in the attached proposal. The order of authorization in this program issues NPDES permit in two (2) forms: general permits or individual permits. There is not a separate NPDES permit issued as a third. Moreover, NPDES permits are generically 'individual permits' similar in nature to the wastewater program.

Secondly, the proposal does not integrate external contact with the Department of Agriculture (state or federal). The DENR permitting program relies on the technical guidance and design specifications from DOA in the design of the lagoons, and land requirements and waste application rates. Likewise, operator certifications are obtained through DOA.

To: Helena Wooden-Aguilar[woodenaguilar33@gmail.com]
From: Wooden-Aguilar, Helena
Sent: Sat 9/6/2014 12:43:26 AM
Subject: Fwd: For Review by Director of OCR: Response RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations (URGENT)
Raleigh News 2014 09 04 response 2014 09 05 1620 bm updated version 3 hewa; vgh.docx
ATT00001.htm

Helena Wooden-Aguilar
Acting Deputy Director
Office of Civil Rights - US EPA
202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

Begin forwarded message:

From: "Golightly-Howell, Velveta" <Golightly-Howell.Velveta@epa.gov>
Date: September 5, 2014 at 6:05:44 PM EDT
To: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>
Cc: "Chang, Patrick" <Chang.Patrick@epa.gov>, "Packard, Elise" <Packard.Elise@epa.gov>, "Martinez, Brittany" <Martinez.Brittany@epa.gov>, "Covington, Jeryl" <Covington.Jeryl@epa.gov>
Subject: **RE: For Review by Director of OCR: Response RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations (URGENT)**

Here you go Helena. Thanks! Velveta

From: Wooden-Aguilar, Helena
Sent: Friday, September 05, 2014 5:54 PM
To: Golightly-Howell, Velveta
Cc: Chang, Patrick; Packard, Elise; Martinez, Brittany; Covington, Jeryl; Wooden-Aguilar, Helena
Subject: For Review by Director of OCR: Response RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations (URGENT)
Importance: High

Velveta-

Attached is the response for your review. I have accepted all of Patrick's edits and responded to his comments. I have also made a note in the document (bottom of page 1 in

Ex. 5 - Deliberative Process

(thank you Patrick, Brittany, and Jeryl for your help today.)

Please let me know if you have any questions.

Helena

From: Chang, Patrick

Sent: Friday, September 05, 2014 5:39 PM

To: Wooden-Aguilar, Helena

Cc: Golightly-Howell, Velveta; Packard, Elise; Martinez, Brittany; Covington, Jeryl

Subject: FW: For Legal Review: **Draft Response**RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations (URGENT)

Ex. 5 - Atty Client

Otherwise, I'm good w/ it and don't need to see it again.

Thanks!

From: Wooden-Aguilar, Helena

Sent: Friday, September 05, 2014 5:32 PM

To: Chang, Patrick
Cc: Golightly-Howell, Velveta; Packard, Elise; Martinez, Brittany; Covington, Jeryl
Subject: RE: For Legal Review: **Draft Response**RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations (URGENT)

Patrick-

I have accepted your edits and responded to comments. I have also added language for your review.

Helena

From: Chang, Patrick
Sent: Friday, September 05, 2014 4:23 PM
To: Wooden-Aguilar, Helena
Cc: Golightly-Howell, Velveta; Packard, Elise; Martinez, Brittany; Covington, Jeryl
Subject: RE: For Legal Review: **Draft Response**RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations (URGENT)

Here are my comments. Call me if you want to discuss, as always.

From: Wooden-Aguilar, Helena
Sent: Friday, September 05, 2014 3:31 PM
To: Chang, Patrick
Cc: Golightly-Howell, Velveta; Packard, Elise; Martinez, Brittany; Wooden-Aguilar, Helena; Covington, Jeryl
Subject: For Legal Review: **Draft Response**RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations (URGENT)
Importance: High

Patrick-

Thanks again for all your help with the Adm briefing documents.

OCR received a press inquiry for a new complaint received yesterday from Earthjustice. The complaint is attached as an FYI. We are in the process of notifying parties.

Below are draft responses and would appreciate your review. The press office has instructed OCR (see below) that they want responses ASAP.

Thanks again,

Helena

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Martinez, Brittany
Sent: Friday, September 05, 2014 2:23 PM
To: Wooden-Aguilar, Helena
Cc: Covington, Jeryl
Subject: **Draft Response**RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

Helena- Please see our draft response.

Ex. 5 - Deliberative Process

From: Wooden-Aguilar, Helena
Sent: Friday, September 05, 2014 12:22 PM
To: Golightly-Howell, Velveta; Covington, Jeryl
Cc: Martinez, Brittany
Subject: RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

Ok. Jeryl and Brittany working on this. I am handling the Administrator documents with OGC (Patrick, Elise, and Ethan) that are due to COB by 4 pm. I hope to have a set of final (OGC reviewed) by 2 pm or sooner. We are moving on these and I am reconciling and cleaning them up.

From: Golightly-Howell, Velveta
Sent: Friday, September 05, 2014 12:20 PM
To: Wooden-Aguilar, Helena; Covington, Jeryl
Subject: Fw: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

Hi. Please let me know what's needed from my end. I'm en route to a meeting. Will return to office after it. I have another at 3 p.m.

Velveta

From: Lee, Monica
Sent: Friday, September 5, 2014 11:27:37 AM
To: Wooden-Aguilar, Helena
Cc: Golightly-Howell, Velveta; Rhodes, Julia; Chang, Patrick; Packard, Elise; Covington, Jeryl
Subject: RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

Correct – additionally, Politico has asked if there is a timeline to respond to these petitions.

From: Wooden-Aguilar, Helena
Sent: Friday, September 05, 2014 11:26 AM
To: Lee, Monica
Cc: Golightly-Howell, Velveta; Rhodes, Julia; Chang, Patrick; Packard, Elise; Covington, Jeryl

Subject: RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations
Importance: High

Ok.

Below is my understanding of the questions in red. Is this correct?

1. Can you tell me if you've received such complaints before based on civil rights law, if not against hog farms than other industrial operations, or if this is the first of its kind.
2. Also, would EPA decide this by paperwork or would there be hearings, testimony, evidence?

Helena

From: Lee, Monica
Sent: Friday, September 05, 2014 11:24 AM
To: Wooden-Aguilar, Helena
Cc: Golightly-Howell, Velveta; Ali, Mustafa; Rhodes, Julia; Chang, Patrick; Packard, Elise; Covington, Jeryl
Subject: RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

The two inquiries we've gotten haven't specified a deadline, but we'd like to get back to them as quickly as possible.

From: Wooden-Aguilar, Helena
Sent: Friday, September 05, 2014 11:17 AM
To: Lee, Monica
Cc: Golightly-Howell, Velveta; Ali, Mustafa; Rhodes, Julia; Chang, Patrick; Packard, Elise; Covington, Jeryl
Subject: RE: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

Hi Monica-

Thanks for the email below. I will work to prepare a response to the press questions below. Is there a deadline?

Helena

From: Lee, Monica
Sent: Friday, September 05, 2014 10:19 AM
To: Wooden-Aguilar, Helena
Subject: FW: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

Hi Helena – do you have any information on Earthjustice’s complaint to EPA alleging civil rights violations at North Carolina hog farms? Politico is asking if we have a timeline to respond to these petitions, so at the very least we’d want to get back to them on that.

Let me know – thanks!

From: Purchia, Liz
Sent: Thursday, September 04, 2014 4:53 PM
To: Lee, Monica; Allen, Laura
Subject: FW: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

FYI this happened today. Politico Pro’s ag edition apparently wrote on it and now the News & Observer is asking.

Laura – Can you check with the region to see if they’ve gotten incoming and have a response.

Monica – Can you check with OCR on this?

Looks like they're asking us to investigate.

Político is asking if we have a timeline to respond to these petitions.

Liz Purchia

Press Secretary

U.S. Environmental Protection Agency

Direct: 202-564-6691

Ex. 6 - Personal Privacy

From: Davis, Alison
Sent: Thursday, September 04, 2014 4:49 PM
To: Purchia, Liz
Subject: Fwd: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

see below. This includes the group's press release

Begin forwarded message:

From: "Murawski, John" <jmurawski@newsobserver.com>
Date: September 4, 2014 at 4:35:36 PM EDT
To: Alison Davis <Davis.Alison@epamail.epa.gov>, "Davis, Alison" <davis.alison@epa.gov>
Subject: Fwd: Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

Alison,

Greetings. I'm writing a short item about this Earthjustice complaint to EPA alleging civil rights violations at NC hog farms. The complaint is filed with EPA and against DENR.

Can you tell me if you've received such complaints before based on civil rights law, if not against hog farms than other industrial operations, or if this is the first of its kind. I'm trying to put this in context if possible. Also, would EPA decide this by paperwork or would there be hearings, testimony, evidence?

I look forward to hearing from you.

John Murawski

Staff Writer

The News & Observer

Raleigh, NC

Tel: 919.829.8932

Ex. 6 - Personal Privacy

Fax: 829-4529

e-mail: john.murawski@newsobserver.com

Twitter: @johnmurawski

Visit our blog: <http://www.newsobserver.com/bizblog/>

FOR IMMEDIATE RELEASE

September 4, 2014 (7.00 am)

Contacts

Devon Hall, Sr. | Rural Empowerment Association for Community Help | [910.296.1180](tel:910.296.1180)

Naeema Muhammad | North Carolina Environmental Justice Network | [252.314.0703](tel:252.314.0703)

Larry Baldwin | Waterkeeper Alliance | lbaldwin@waterkeeper.org | [252.670.1413](tel:252.670.1413)

Marianne Engelman Lado | Earthjustice
| mengelmanlado@earthjustice.org | [212.845.7376](tel:212.845.7376) x 7393

Jonathan Hahn | Caplan
Communications | jonathan@caplancommunications.com | [301-998-6592](tel:301-998-6592)

Community Groups Petition EPA for Precedent Setting Case on Civil Rights Violations

Decade-long struggle with North Carolina over public health shifts to the EPA as
community groups state lax oversight of hog operations violates civil rights

WARSAW, N.C.—The North Carolina Environmental Justice Network, Rural Empowerment Association for Community Help and Waterkeeper Alliance, supported by Earthjustice, filed a complaint with the Environmental Protection Agency (EPA) Office of Civil Rights under Title VI of the Civil Rights Act of 1964 alleging that North Carolina's lax regulation of hog waste disposal discriminates against communities of color in eastern North Carolina.

The complaint is the latest chapter in a longstanding struggle to address the community health impacts posed by massive amounts of fecal waste from industrial hog facilities. Community members have repeatedly asked the North Carolina Department of Environment and Natural Resources (DENR) for stronger protections, but are now seeking help from the EPA, stating that a recent decision by DENR to issue a permit that will cover thousands of hog facilities without adequate waste disposal controls violates federal law and civil rights.

"Rural eastern North Carolinians, especially poor people and people of color, continue to suffer from the horrible conditions brought on by the industrial hog industry" said **Naeema Muhammad, Director of North Carolina Environmental Justice Network**. "It's the State's job to regulate these operations and make sure that the people and the environment are protected. This complaint is about making sure they do that."

The permit continues to allow industry to flush hog feces and urine into open, unlined pits and then to spray this "liquid manure" onto nearby fields. This practice leads to waste contaminating nearby waters. The waste also drifts as mist onto neighboring properties, causing unbearable odors. The impact is worsened by the growth of the poultry industry in the state and the piles of chicken waste that often sit uncovered on fields for days on end.

These operations are disproportionately located in communities of color where neighbors are forced to endure the smell, water quality impacts and the embarrassment associated with the facilities operating near their homes.

"You can't imagine what it's like to live next to one of these hog operations," said **Devon Hall, Project Manager at the Rural Empowerment Association for Community Help (REACH)**. "It's hard to enjoy the outdoors and it's embarrassing to invite company over, because the flies and the smells make life miserable. We've complained for decades about it."

"The negative impacts that hog operations have on the environment and neighboring communities is outrageous, and the government is turning a blind eye to those in harm's way," said **Larry Baldwin, Concentrated Animal Feeding Operations (CAFO) Coordinator at Waterkeeper Alliance**. "It's time the State took its responsibility to protect the citizens of North Carolina seriously. After years of working to improve water quality in the eastern portion of the state, I can say that it's time for the state to take action."

The complainants have notified officials at DENR and EPA of the filing and are asking EPA to initiate an investigation.

LINK TO FILED COMPLAINT: <http://waterkeeper.org/cms/assets/uploads/2014/09/North-Carolina-EJ-Network-et-al-Complaint-under-Title-VI.pdf>

#

About NCEJN

The North Carolina Environmental Justice Network is a statewide, grassroots-led non-profit organization made up of community members and other organizations that work to fight environmental injustice. The EJ Network seeks to promote health and environmental equality for all people of North Carolina through organizing, advocacy,

research, and education based on principles of economic equity and democracy for all people. The EJ Network supports the communities that are most impacted by environmental injustice and has worked for nearly two decades to change the fact that industrial swine facilities in North Carolina are allowed to pollute low-income communities and communities of color.

About REACH

The Rural Empowerment Association for Community Help strives to improve the quality of life for families and people of color in rural eastern North Carolina. In particular, REACH addresses social, economic and environmental issues through its environmental awareness, sustainable agriculture, small business development, and homeownership programs.

About WATERKEEPER® Alliance

Founded in 1999 by environmental attorney and activist Robert F. Kennedy, Jr. and several veteran Waterkeeper Organizations, Waterkeeper Alliance is a global movement of on-the-water advocates who patrol and protect over 1.5 million square miles of rivers, streams and coastlines in North and South America, Europe, Australia, Asia and Africa. Learn more at: www.waterkeeper.org or follow @Waterkeeper on Twitter and Facebook.

About Earthjustice

Earthjustice, the nation's premier nonprofit environmental law organization, wields the power of law and the strength of partnership to protect people's health, to preserve magnificent places and wildlife, to advance clean energy and to combat climate change.

Because the earth needs a good lawyer.

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
Cc: Rhodes, Julia[Rhodes.Julia@epa.gov]
From: O'Lone, Mary
Sent: Mon 9/15/2014 1:41:46 PM
Subject: Re: Short list of items from last week

1. I will draft a more specific email for you to forward to Velveta on the statistician. I was thinking that we could try to do the outreach to OEI & other program offices this week so that you have more to report to Gwen & the Administrator than just we think we can meet the 20 day deadline. Actually, show forward movement (trying to assemble a team to review the materials to see if we can rely on them & not generate any in-house analysis). Why wait until October 1st?

2. Sorry, I thought you were allowed to contact DCROs with requests.

3. As far as I know Ericka is drafting the accept/reject on REACH & last week she told me she has a deadline of COB today to get you something. I sent you my thoughts on the options for each allegation on Friday night.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena
Sent: Monday, September 15, 2014 9:30 AM
To: O'Lone, Mary
Cc: Rhodes, Julia
Subject: RE: Short list of items from last week

1. What I will need is an email explaining who we need and why. I am going to ask Jeryl

(once she returns) to start on this and I will have her start looking at the SCS information below. As you know we are starting the Protocol process for the REACH complaint and I have asked folks to draft a case management plan for the 1st meeting (which will probably be in October). In that plan I will have a section for OEI and the statistically needs.

2. Thanks for putting that email together. I will have to prepare it for Velveta (as you recall she does not want us directly contacting the DCRO's).

3. Right but I do think the protocol group will meet and it will be up to OCR to recommend a path forward. The path forward might include your thoughts below.

Regarding the JR, I am on the hook for this. I think we discussed last week that while some initial issues were flagged regarding ripeness we are moving forward. Does Ericka have this or is this with you? If with Ericka, perfect. I will send Julia/CRPG a draft JR for your review. I want to move this asap to Velveta.

Helena

From: O'Lone, Mary
Sent: Monday, September 15, 2014 9:14 AM
To: Wooden-Aguilar, Helena
Cc: Rhodes, Julia
Subject: Short list of items from last week

Just a few things on my mind from last week that I don't want to get lost in the sauce:

Ex. 5 - Atty Client/ Deliberative

Ex. 5 - Atty Client/ Deliberative

Thanks, Mary

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
From: O'Lone, Mary
Sent: Fri 9/12/2014 11:19:54 PM
Subject: RE: FOR REVIEW/SIGNATURE - Lado, Marianne Engleman and D'Ambrosio, Jocelyn;
Reeder, Tom Ltrs - Re _ Notify Receipt of Admin Cmplnt _ EPA File No _ 11R-14-R4

Is it dated the 10th?

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena
Sent: Friday, September 12, 2014 7:04 PM
To: O'Lone, Mary
Subject: Re: FOR REVIEW/SIGNATURE - Lado, Marianne Engleman and D'Ambrosio,
Jocelyn; Reeder, Tom Ltrs - Re _ Notify Receipt of Admin Cmplnt _ EPA File No _ 11R-14-R4

No we sent it out on the 10th

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Sep 12, 2014, at 6:59 PM, "O'Lone, Mary" <OLone.Mary@epa.gov> wrote:

So does this mean that the 20 days starts running from the date of the acknowledgement letter (i.e., today)?

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena

Sent: Friday, September 12, 2014 6:57 PM

To: O'Lone, Mary

Subject: Fwd: FOR REVIEW/SIGNATURE - Lado, Marianne Engleman and D'Ambrosio, Jocelyn; Reeder, Tom Ltrs - Re _ Notify Receipt of Admin Cmplnt _ EPA File No _ 11R-14-R4

Draft but will send the signed versions. The file # is in the letter.

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

Begin forwarded message:

From: "Whickum, Cheryl" <Whickum.Cheryl@epa.gov>
Date: September 10, 2014 at 11:01:00 AM EDT
To: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>
Cc: "Farrell, Ericka" <Farrell.Ericka@epa.gov>
Subject: **FOR REVIEW/SIGNATURE - Lado, Marianne Engleman and D'Ambrosio, Jocelyn; Reeder, Tom Ltrs - Re _ Notify Receipt of Admin Cmplnt _ EPA File No _ 11R-14-R4**

A Warm & Hearty...

Ms. Helena:

Hard copy of the above have been prepared for finalization, reviewed/initialed by Ms. Ericka, placed in your box, & are ready for your concurrence/signature.

Thank you,

Cheryl Whickum

U. S. EPA, Office of Civil Rights

Title VI - External Compliance Program

1200 Pennsylvania Ave, NW, WJC-North, Rm 2524

Mail Code: 1201A

Washington, DC 20460

202-564-4366 (Direct Line)

202-564-7272 (Office Line)

202-565-0196 (Fax Line)

From: Whickum, Cheryl
Sent: Wednesday, September 10, 2014 10:34 AM
To: Farrell, Ericka
Cc: Wooden-Aguilar, Helena
Subject: FOR REVIEW - Lado, Marianne Engleman and D'Ambrosio, Jocelyn;
Reeder, Tom Ltrs - Re _ Notify Receipt of Admin Cmplnt _ EPA File No _ 11R-14-R4

A Warm & Hearty...

Ms. Ericka:

Hard copy of the above has been prepared for finalization, placed in your box, & is ready for your review/concurrence.

Thank you,

Cheryl Whickum

U. S. EPA, Office of Civil Rights

Title VI - External Compliance Program

1200 Pennsylvania Ave, NW, WJC-North, Rm 2524

Mail Code: 1201A

Washington, DC 20460

202-564-4366 (Direct Line)

202-564-7272 (Office Line)

202-565-0196 (Fax Line)

From: Farrell, Ericka
Sent: Tuesday, September 09, 2014 9:36 AM
To: Whickum, Cheryl
Subject: Notification Letters - Earthjustice/NC

Good Morning Ms. Cheryl,

Can you please finalized for Ms. Helena's signature. Thanks.

Ericka Farrell

Office of Civil Rights

External Complaints & Resolution

2025640717

To: Covington, Jeryl[Covington.Jeryl@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Wed 8/27/2014 4:40:55 PM
Subject: Re: URGENT: Call from Earthjustice

K. Here we go!

Helena Wooden-Aguilar
Acting Deputy Director
Office of Civil Rights - US EPA
202-564-0792 (office)
Ex. 6 - Personal Privacy
wooden-aguilar.helena@epa.gov

On Aug 27, 2014, at 12:39 PM, "Covington, Jeryl" <Covington.Jeryl@epa.gov> wrote:

FYI - The agency, North Carolina Department of Environment and Natural Resources (NCDENR), do not approve the siting of these facilities. NCDENR approves the technical feasibility, appropriate operations, etc. Location denial occur if such facilities are located near sensitive waters. Some locations are determined by corporate industry buying/contracting farmers that must comply with corporate standards for best practices in waste management.

These operations are in some instances developed in conjunction with USDA – Natural Resource Conservation Service, and conjunction with the local county field office.

Ex. 6 - Personal Privacy

From: Wooden-Aguilar, Helena
Sent: Wednesday, August 27, 2014 12:26 PM
To: HALIM-CHESTNUT, NAIMA
Cc: Mckinley, Lisa; Bailey, Rhonda; Lapierre, Kenneth; Golightly-Howell, Velveta; Covington, Jeryl; Rhodes, Julia; Gsell, Alyssa
Subject: Re: URGENT: Call from Earthjustice

Thanks for the email. I have copied Velveta and OGC on this message.

Let me talk with Velveta and OGC on approach because as you know we are communicating with OCR HQ on a number of fronts, including stakeholder engagement

Ex. 5 - Deliberative Process

Can we touch base with you/region by COB?

Helena

Helena Wooden-Aguilar

Acting Deputy Director

Office of Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Aug 27, 2014, at 12:13 PM, "HALIM-CHESTNUT, NAIMA" <Halim-Chestnut.Naima@epa.gov> wrote:

<image001.gif>

Helena

I received a call from MaryAnne Engelman-Lado, Ex. 6 - Personal Privacy from EarthJustice today and she is interested in filing a complaint against the NC DNR for perceived violations of Title VI for issuing a state swine permit that will certify 200 swine facilities in NC. They do not know the locations of all of the facilities but they do know that many of them will be in disadvantaged communities based on disproportionate data for communities in NC. They plan to file by this Thursday.

They are interested in speaking with Region 4 (and HQ) personally about their approach, as well as having us tour facilities. I wanted to get your take on what we should tell them and who you want to speak with them from this point forward?

I am including the Regional OCR team for their awareness.

Thank you.

Naima Halim-Chestnut, MAOM

Human Resources Officer, Acting

Human Capital Management Branch

U.S. Environmental Protection Agency, Region 4

61 Forsyth Street SW

Atlanta, GA 30303

Office: 404-562-9220

Ex. 6 - Personal Privacy

Email: halim-chestnut.naima@epa.gov

Message

From: O'Lone, Mary [OLone.Mary@epa.gov]
Sent: 1/5/2015 9:09:00 PM
To: Wooden-Aguilar, Helena [Wooden-Aguilar.Helena@epa.gov]
CC: Rhodes, Julia [Rhodes.Julia@epa.gov]
Subject: Re: Amendment to the ealier email about Another Avi question -- need response quickly

thx. I am going with the sentence.

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
(202) 564-4992

From: Wooden-Aguilar, Helena
Sent: Monday, January 5, 2015 3:21 PM
To: O'Lone, Mary
Cc: Rhodes, Julia
Subject: RE: Amendment to the ealier email about Another Avi question -- need response quickly

Agree with the sentence.

From: O'Lone, Mary
Sent: Monday, January 05, 2015 2:23 PM
To: Wooden-Aguilar, Helena
Cc: Rhodes, Julia
Subject: Amendment to the ealier email about Another Avi question -- need response quickly

After talking with Julia - I want to make clear I am not asking you to do the exercise of a specific count, just give me a general sense.

Now rather than you drafting a sentence - how does this sentence sound to you? Is it accurate from your perspective?

Ex. 5 Deliberative/ Atty Client

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
(202) 564-4992

From: O'Lone, Mary
Sent: Monday, January 5, 2015 1:58 PM

To: Wooden-Aguilar, Helena

Cc: Rhodes, Julia

Subject: Another Avi question -- need response quickly

Ex. 5 Deliberative/ Atty Client

Thanks.

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
(202) 564-4992

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
From: O'Lone, Mary
Sent: Mon 12/1/2014 5:01:47 PM
Subject: Re: Staff-Level Meetings - Advance Notice and Post-Meeting Highlights & REACH allegation note

thx. hope my email helps sort it out.

I truly don't know what you were apologizing to V for.

I just don't understand what the real issue is or was.

but I have spent too much time on it & not substance.

we need to have a chat about OECA & what I interpreting from his emails of what Larry's vision of how he thinks the DEN will operate.

Ex. 5 Deliberative/ Atty Client

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena
Sent: Monday, December 1, 2014 11:38 AM
To: O'Lone, Mary

Subject: RE: Staff-Level Meetings - Advance Notice and Post-Meeting Highlights & REACH allegation note

Outta control

From: O'Lone, Mary

Sent: Monday, December 01, 2014 11:38 AM

To: Wooden-Aguilar, Helena

Subject: Re: Staff-Level Meetings - Advance Notice and Post-Meeting Highlights & REACH allegation note

sorry what does OC mean?

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena

Sent: Monday, December 1, 2014 11:18 AM

To: O'Lone, Mary

Subject: Re: Staff-Level Meetings - Advance Notice and Post-Meeting Highlights & REACH allegation note

Things are OC.

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Dec 1, 2014, at 8:19 AM, "O'Lone, Mary" <OLone.Mary@epa.gov> wrote:

What happened after I left. It seems all nutty.

There seems to be some basic misunderstanding on her part about the DOJ meeting we had and the ones we plan to have.

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena

Sent: Tuesday, November 25, 2014 9:24 PM

To: O'Lone, Mary

Cc: Rhodes, Julia

Subject: Re: Staff-Level Meetings - Advance Notice and Post-Meeting Highlights & REACH allegation note

Thx Mary.

I will be sure to type up basic notes as she shared it with Gwen and John Reeder.

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Nov 25, 2014, at 9:45 AM, "O'Lone, Mary" <OLone.Mary@epa.gov> wrote:

just noting that all she wants is highlights.

which is a good thing - won't have to be typing up copious notes.

short and sweet.

fyi. here are my thoughts on the note for changing the articulation of what EPA is going to investigate - as to why it is happening & why (I) think it is advisable. Julia can help you with word smithing. I do think we should avoid the word "broadening." Instead I like flexibility (maybe even more than transparency).

The complaint was XX pages and had XX attachments, including a number of studies, affidavits, etc. Operating under a 20 day deadline, OCR's goal is to understand the basic contours of the information provided and determine whether the jurisdictional criteria are met: funding recipient, describe a timely act, etc.. In this case, OCR was directed to prepare a draft of the letter within 15 days. The Sept X draft letter represents OCR's SOP to meet the 20 day deadline which is to describe the alleged discriminatory similarly to how it is described in the complaint.

DOJ staff informally advised OCR to not draft the accepted allegation narrowly, but to preserve EPA's flexibility to explore any information or theory that may be relevant to determining whether discrimination exists. Because OCR has broad authority under Title VI to investigate the actions of its recipients, there is a tension between describing the allegation so broadly it fails to provide the recipient adequate notice of the scope of the investigation and so narrowly as to require OCR to continually supplement the narrow

Ex. 5 Deliberative/ Atty Client

Mary O'Lone

Civil Rights and Finance Law Office

Office of General Counsel

US EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

(202) 564-4992

From: Wooden-Aguilar, Helena

Sent: Tuesday, November 25, 2014 8:15 AM

To: Rhodes, Julia; O'Lone, Mary

Subject: Fwd: Staff-Level Meetings - Advance Notice and Post-Meeting Highlights

Helena Wooden-Aguilar

Assistant Director

External Civil Rights - US EPA

202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

Begin forwarded message:

From: "Golightly-Howell, Velveta" <Golightly-Howell.Velveta@epa.gov>
Date: November 25, 2014 at 8:08:58 AM EST
To: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>
Subject: Staff-Level Meetings - Advance Notice and Post-Meeting Highlights

Good morning Helena. I hope that yours is starting well.

I learned from Jeryl last week while you were away about the staff-level meeting that Julia, Mary, you and she had w/Daria and other DOJ reps. In the future, please notify the Deputy Director and me "in advance" when any staff-level meeting w/Justice or any other federal agencies is being scheduled. Also, as I asked during our meeting w/CRFLO (OGC - Julia and Mary) yesterday, following such meetings, please provide me written highlights of these meetings and decisions and or agreements made (e.g., planned future meetings, etc.), if any.

I look forward to getting the highlights of last week's meeting w/DOJ by COB today as well as a doc outlining why broadening the issue statement is under consideration. As mentioned, I need both docs for my meeting w/the COS and DCOS tomorrow morning and plan to send the agenda and attachment before leaving.

Do not hesitate to contact me w/any questions. Thanks.

Velveta

Message

From: O'Lone, Mary [OLone.Mary@epa.gov]
Sent: 10/1/2014 4:34:26 PM
To: Wooden-Aguilar, Helena [Wooden-Aguilar.Helena@epa.gov]
Subject: Re: Professor Wing's TED talk on NC CAFOs

yep, that is what I heard which is another reason why I wondered if smoothing out the verbiage was a waste of time or not.

well if you are going to, I will have some options for you.

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
(202) 564-4992

From: Wooden-Aguilar, Helena
Sent: Wednesday, October 1, 2014 12:31 PM
To: O'Lone, Mary
Subject: Re: Professor Wing's TED talk on NC CAFOs

No word yet. What I heard was there was a desire to not seek clarification.

Helena Wooden-Aguilar
Assistant Director
External Civil Rights - US EPA
202-564-0792 (office)

Ex. 6 - Personal Privacy

wooden-aguilar.helena@epa.gov

On Oct 1, 2014, at 11:44 AM, "O'Lone, Mary" <OLone.Mary@epa.gov> wrote:

any word on whether the letter is going out?
should I try to smooth out the enforcement allegation paragraph per John or has the boat sailed?

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
(202) 564-4992

From: Wooden-Aguilar, Helena
Sent: Wednesday, October 1, 2014 11:22 AM
To: O'Lone, Mary; Covington, Jeryl; Farrell, Ericka
Subject: RE: Professor Wing's TED talk on NC CAFOs

Interesting. Thanks!

From: O'Lone, Mary
Sent: Wednesday, October 01, 2014 11:22 AM
To: Wooden-Aguilar, Helena; Covington, Jeryl; Farrell, Ericka
Subject: Professor Wing's TED talk on NC CAFOs

As soon as Dan mentioned this TED talk to me, I knew it was Dr. Wing.

Dr. Wing is the lead author of many of the NC based studies of health & other impacts cited in the REACH complaint. It is his & his colleagues work & comments on the draft general permits that forms the substantive basis for the complaint.

The talk is only about 10 minutes and provides an overview of the issues discussed in the complaint.

His explanation of how the NIEHS funded study was conducted makes it sound very similar to the exposure assessment that ATSDR did in Corpus Christi (remember Ericka?). I think the study he is talking about is Exhibit 50 - the one published in 2008.

Mary O'Lone
Civil Rights and Finance Law Office
Office of General Counsel
US EPA
1200 Pennsylvania Ave., NW
Washington, DC 20460
(202) 564-4992

From: Isales, Daniel
Sent: Wednesday, October 1, 2014 10:28 AM
To: O'Lone, Mary
Subject: FW: CAFOs

Daniel L. Isales

U.S. Environmental Protection Agency

Environmental Science Center

701 Mapes Road

Fort Meade, MD 20755-5350

(410) 305-3016

isales.daniel@epa.gov

From: Isales, Daniel
Sent: Monday, September 29, 2014 7:54 AM
To: Julia Rhodes
Subject: CAFOs

Julia,

I know the hog farms case has not even been accepted, but thought you might be interested in this video from a college professor regarding hog farms in NC. Obviously he is advocating a specific point of view, but may still be of interest. It is a relatively short video.

<http://tedxtalks.ted.com/video/Community-Health-Impacts-of-Fac>

Here is the related journal article:

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2446444/>

Hope you are well, Dan

Daniel L. Isales

U.S. Environmental Protection Agency

Environmental Science Center

701 Mapes Road

Fort Meade, MD 20755-5350

(410) 305-3016

isales.daniel@epa.gov